

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, ex rel.,
VICTORIA G. GATSIPOULOS, Relator, and
DOLORES A. HOWLAND, Relator,

Civil Action

No. 06-1452

Plaintiffs/Relators,

Judge Hornak

v.

KAPLAN CAREER INSTITUTE, ICM CAMPUS,
formerly known as ICM School of Business & Medical
Careers, and KAPLAN HIGHER EDUCATION
CORPORATION,

Defendants.

JURY TRIAL DEMANDED

STIPULATION FOR DISMISSAL

Relators Dolores A. Howland and Victoria G. Gatsiopoulos (collectively, “Relators”) and Defendants Kaplan Career Institute, ICM Campus and Kaplan Higher Education Corporation (collectively, “Kaplan”), parties to the above-captioned civil action, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. § 3730, hereby stipulate to the dismissal of this civil action with prejudice as to Relators, but without prejudice as to the United States.

The basis for this stipulated dismissal is that Relators and Kaplan have voluntarily resolved this matter, and reached an agreement which includes: (i) the voluntary dismissal of Relators’ claims brought pursuant to the False Claims Act, 31 U.S.C. §§ 3729(a)(1)-(2) (as of the effective date of the filing of this lawsuit), but a dismissal of those claims without prejudice as to the United States; (ii) a resolution of Relator Gatsiopoulos’s individual employment claim under the False Claims Act, 31 U.S.C. § 3730(h); (iii) appropriate releases; and (iv) a dismissal of the action in its entirety with prejudice as to Relators, but without prejudice as to the United States.

The parties therefore respectfully request that the Court enter the stipulation for dismissal accompanying this motion.

Respectfully submitted,

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